

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DANIEL J. COREY,

Plaintiff,

v.

NIKKIE BEHNER, *et al.*,

Defendant.

CASE NO. C17-0704-JCC

ORDER

This matter comes before the Court on Plaintiff's motion to re-open (Dkt. No. 24). The Court administratively closed and dismissed Plaintiff's case without prejudice on December 6, 2016 for lack of prosecution (Dkt. No. 15.) Plaintiff asks the Court to re-open so that he may access Snohomish County Corrections' law library to research his case. Law library access is not a sufficient basis to re-open Plaintiff's case. *See* Fed. R. Civ. P. 60(b). But because the Court dismissed Plaintiff's case without prejudice, Plaintiff can file another complaint on the same claims, so long as those claims are not precluded by the statute of limitations, which is normally three years. *See* Wash. Rev. Code § 4.16.080(2); *Cabrera v. City of Huntington Park*, 159 F.3d 374, 379 (9th Cir. 1998).

For the foregoing reasons, Plaintiff's motion (Dkt. No. 24) is DENIED.

//

//

1 DATED this 20th day of February 2018.

2
3
4 

5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26